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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/862,656	05/21/2001	Tomotaka Yamazaki	450100-03233	8141
20999	7590	03/24/2005	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			WORKU, NEGUSSIE	
			ART UNIT	PAPER NUMBER

2626

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/862,656

Applicant(s)

YAMAZAKI ET AL.

Examiner

Negussie Worku

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

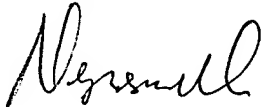
## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.



## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-5 and 10-23, are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (USP 6,493,743) in view of Suzuki (USP 6,601,139).

With respect to claim 1, Suzuki (743) teaches or disclose an information-processing apparatus (terminal PC 200 of 9A or 9B, for processing personal information) storage means (storage or memory 210 of fig 9B for storing various application files) for storing application, see (col.12, lines 15-20) comprising: programs and data files, see (program and data file are stored 210 of fig 9B, col.12, lines 15-20); calculating means (CPU of fig 2, in conjunction with input device 204 of fig 9B, such as keyboard or mouse for activating a program stored in the main body computer 210 of fig 9A, see col.8-10), for activating an application program stored in said storage means (210 of fig 9B) to carry out predetermined processing, see (col.8-10); media drive

means (media drive device 214 of fig 9A) for recording and playing back information into and from an external recording medium (an external or portable recording medium 212 of fig 9A); control means (main body computer 202 , for controlling the whole system, see col.12, lines 5-9) which controls said media-drive means (214 of 9B, main body computer 202 , for controlling the whole system, including media drive 214 of fig 9B see col.12, lines 5-9), and said storage means (memory device (HD) 210 of fig 2) so that: when said storage means (210 of fig 2) includes a remaining free storage area with a size large enough for accommodating recorded in application medium is installed in said storage means (210 of fig 9B, see col.12, lines 20-30).

Suzuki (743) does not disclose when said storage means a size not large enough for accommodating said application program recorded in said external recording medium, on the other hand, an application program or a data file stored in said storage means is saved to said external recording medium in order to allocate a free storage area on said storage means and then said application program recorded in said external recording medium is installed in said storage means.

Suzuki (139) in the same area of information processing apparatus (as shown by fig 1-5) discloses when said storage means (memory device 13 of fig 30) a size not large enough for accommodating said application program (application program 13a) recorded in said external recording medium, (re-moveable disk 2 of fig 3) on the other hand, an application program or a data file stored in said storage means (program saved in flesh memory 13 of fig 3) is saved to said external recording medium (RAM

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area 2b or 2a of fig 3) in order to allocate a free storage area on said storage means (storage 13 of fig 3) and then said application program recorded in said external recording medium (2 (2a, 2b) of fig 3) is installed in said storage means (since flash memory 13 of fig 3, is connected to CPU bus and an executable memory space is allocated for at least application program, see col.7, lines 60-65, se col.7, lines 55-65)

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified an information processing apparatus capable of accessing a host device of Suzuki (743) to include: storage means a size not large enough for accommodating said application program recorded in said external recording medium, on the other hand, an application program or a data file stored in said storage means is saved to said external recording medium in order to allocate a free storage area on said storage means and then said application program recorded in said external recording medium is installed in said storage means.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the an information processing apparatus capable of accessing a host device of Suzuki (743) by the teaching of Suzuki (139), for the reason that, it would have been allowed users to execute various different application without running to such a problem arise from a current personal computer architecture in which a large number of software program are all installed on a data storage device such as a hard disk, and they are controlled by a very complicated operating system using a huge set of common libraries, as discussed by Suzuki (139) in col.3, lines 41-45.

With respect to claim 2, Suzuki (743) teaches or discloses an information-processing apparatus, (terminal PC 200, and server 300 of fig 9A for processing personal information) wherein said information-processing apparatus, (fig 9A) further has an activation-history management means (user management file of fig 9c, information indicating data files or program application recently used, see col.12, lines 40-45), means for storing activation history for each application program on said storage means (210 of fig 9B, various application files, data file, see 210 of fig 9B), and for updating said activation history information for a specific application program upon activation of said specific application program by said calculating means, (OS, operating system in conjunction with input device 204 of fig 9B, such as keyboard or mouse for activating a program stored in the main body computer 202 of fig 9A, see col.8-10) and said control means (main body computer 202 [CPU] 21 of fig 3) , for controlling the whole system, see col.12, lines 5-9) selects an application program to be saved to said external recording medium (data files are down loaded (OS) from the server 300 as needed to be stored in the memory device 210 of fig 9a) on the basis of said activation history information, see (col.12, lines 47-53).

With respect to claim 3, Suzuki (743) teaches or discloses an information-processing apparatus (terminal PC 200 of 9A or 9B, for processing personal information), wherein said storage means (hard disk 210 of fig 9B) is a non-volatile storage area, see (col.12, lines 10-14).

With respect to claim 4, Suzuki (743) teaches or discloses an information-processing apparatus (terminal PC 200 of 9A and server 300 9B, for processing personal information) wherein, when an application program or a data file has been saved in said external recording medium (server 212 of fig 9A) being dismounted from said media drive means, (214 of fig 9B) said control means (main body computer 202, CPU 21 of fig 3) for controlling the whole system, see col.12, lines 5-9) controls said media-drive means (214 of fig 9B) and said storage means (210 of fig 9B) to uninstall an application program installed from said external recording medium (212 of fig 9B) into said storage means in order to restore said installed application program to said external recording medium (212 of fig 9B) and to restore said application program or said data file saved in said external recording medium to said storage means (210 of fig 9b).

With respect to claim 5, Suzuki (743) teaches or discloses an information-processing apparatus (terminal PC 200 of 9A and server 300 9B, for processing personal information), wherein said calculating means (operating system, in conjunction with input device 204 of fig 9B, such as keyboard or mouse for activating a program stored in the main body computer 202 of fig 9A, see col.8-10), activates an application program upon installation of said application program from said external recording medium (212 of fig 9A) into said storage means (210 of fig 9B).

With respect to claim 10, Suzuki (743) discloses an information-processing apparatus (terminal PC 200 of 9A and server 300 9B, for processing personal information) comprising: storage means (storage media device 214 of fig 9B); connection means (network 100 of fig 9A) for exchanging information between said information-processing apparatus (exchanging information between server 300, and terminal 200 of fig 9A), and an external recording medium (external recording medium 212 of fig 9B); calculating means (OS operating system from terminal 200 of fig 9A, is capable of activating program) for activating application software and carrying out processing based on said application software (application program down loaded from the server 300 of fig 9a); and search means (input device, includes a cursor key, function key, etc. is outputted to CPU 2 of fig 1) for first searching said storage means (210 of fig 9B) for a relevant data file to be used by said activated said external application software (application soft ware stored in server 300 of fig 1), and for searching recording medium for said relevant data file through said connection means (network connection 100 of fig 9A) when said data file is not found in said storage means (210 of fig 9B).

With respect to claim 11, Suzuki (743) discloses an information-processing apparatus (terminal PC 200 of 9A and server 300 9B, for processing personal information), wherein said external recording medium (212 of fig 9B) is a portable recording medium, (a portable recording media 212 of fig 9B) and said connection means (a network connection 100 of fig 9A) is implemented as a recording and



playback unit for recording and playing back data onto and from said portable recording medium (a data from a portable recording media 212 of fig 9B, used as a record able data and as a play back data).

With respect to claim 12, Suzuki (743) discloses an information-processing apparatus (terminal PC 200 of 9A and server 300 9B, for processing personal information), wherein said external recording medium is an external server connected to said information-processing apparatus by a wire or radio communication line, (a server 300 of fig 9A, connected through a network connection 100 of fig 9A, to the information processing terminal 200 of fig 9A) and said connection means (100 of fig 9A) is implemented as a communication unit ("N" communication unit of fig 1) for communicating with said external server (server 300 of fig 9A) through said communication line (network 100 of fig 9A).

With respect to claim 13, Suzuki (743) discloses an information-processing method (terminal PC 200 of 9A and server 300 9B, for processing personal information) adopted by a calculating means (CPU 21 of fig 2) operating in accordance with a predetermined step to search for a desired file related to processing of said predetermined step (CPU of fig 2, in conjunction with input device 204 of fig 9B, such as keyboard or mouse for activating a program stored in the main body computer 210 of fig 9A, see col.8-10), said information-processing (as shown in fig 1-4) method comprising: a search step of searching storage means for said desired file, (application program or data file stored in the server's storage 26 of fig 3, are down loaded according to the

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needed file); a connection step of setting a connection to an external recording medium through connection means (through communication device 28 of fig 3, the terminal device and the external server are connected for exchange of data) when said desired file is not found in said storage means (210 of fig 9B); a search step of searching said external recording medium (212 of fig 9B) for said desired file after said connection step is set.

With respect to claim 14, Suzuki (743) discloses an information-processing method (terminal PC 200 of 9A and server 300 9B, for processing personal information), wherein said external recording medium (portable storage media 212 of fig 9B) searched for said desired file, (application program or file) when said desired file is not found in said storage means, (212 of fig 9B), and said connection means (network connection 100 of fig 9A) allowing information to be input from and output to said external recording medium (212 of fig 9B) is a recording/playback unit (CPU 21 of fig 3) for recording and playing back data into and from said portable recording medium (212 of fig 9B).

With respect to claim 15, Suzuki (743) discloses an information-processing method (terminal PC 200 of 9A and server 300 9B, for processing personal information), method according to wherein said claim external recording medium (portable storage unit 212 of fig 9B) searched for said desired file, (application program or data file) when said desired file is not found in said storage means, (212 of fig 9B) connected by a wire or radio an external server communication line, (network 100 of fig 9A) and said

connection means ("N" of fig 1) allowing information to be input from and output to said external recording medium (212 of fig 9B) is a communication unit for carrying out communications with said external recording medium (212 of fig 9B) through said communication line (network 100 of fig 9A).

With respect to claim 16, Suzuki (743) discloses an information-processing apparatus (server 300 and terminal (PC) 200 are connected via network 100 of fig 9A to form an information processing apparatus), comprising: storage means (210 HD of fig 9B, stores application program and data files downloaded from server 33 of fig 9A) application software and data files, see (col.12, lines 27-30); connection means (recording media driving means 214 of fig 9B) for exchanging information between said information-processing apparatus (terminal 200 [main body of computer 202]) and an external recording medium (portable storage media 212 of fig 9B) for storing application software and data files, see (col.12, lines 27-30); recognition means for recognizing application software or data files, (icon corresponding application...easily identify an application, see col.11, lines 21-25), which are stored in said external recording medium (212 of fig 9A, see col.12, lines 20-23) connected to said information-processing apparatus (fig 9A) by said connection means (network 100 of fig 9A); user interface means (interface 216 of fig 9B, when terminal 200 receives a response from server 300 via communication interface 216, determines the response by displaying on a display device 206, such as CRT, see col.13, lines 15-18 and col.12, lines 8-10) displaying application software or data files which are stored in said storage means, (server user

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table 300 of fig 9A) displaying application software or data files, see (col.12, lines 8-10) which are stored in said external recording medium (210 of fig 9B) and recognized by said recognition means, (icon corresponding application...easily identify an application, see (col.11, lines 21-25), and for allowing a piece of said displayed application software to be selected for activation and for allowing one of said displayed data files to be selected for use, see (col.11, 5-9 and lines 21-25); and activation processing control means (terminal PC 202 fig 9B, which includes CPU, operating system OS controls and activating icon controls the whole process including activation, loading, storing of application program from external recording media 210 of fig 9B) for loading application software from said external recording medium (210 of fig 9B) into said storage means (202a of fig 9B) and carrying out processing to activate said loaded application software in response to an operation carried out on said user interface means (display device 206, input device 204 of fig 9B, which includes icon, keyboard and mouse to make a request for activation of application program and data file) to make a request for activation said application software, see (col.8, lines 39-46).

With respect to claim 17, Suzuki (743) discloses an information-processing apparatus (server 300 and terminal (PC) 200 are connected via network 100 of fig 9A to form an information processing apparatus), wherein said information-processing apparatus (fig 9A and 9B) further having reference processing control means (OS operating system, controls, a reference which is a user table made for the information indicating data files, reference to identification data, such as a password, as shown in

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fig 9D, see col.12, lines 48-52) for loading a data file from said external recording medium (212 of fig 9B) into said storage means (210 of fig 9B) and carrying out a process to reference said loaded data file in response to an operation carried out on said user interface means, (keyboard 204 and display device 206 of fig 9B) for loading a data file required in the course of processing based on application software in execution from said external recording medium (212 of fig 9A) into said storage means (212 of fig 9B) and carrying out a process to reference said loaded data file, (data file shown in fig 9c) when a request is made for reference of said data file.

With respect to claim 18, Suzuki (743) teaches an information processing method (as shown in fig 1-4), wherein said external recording medium (212 of fig 9B) is a portable recording medium, and said connection means (storage media drive means 214 of fig 9B) is implemented as recording and playback unit (reading in and reading out by 214 of fig 9B) for recording and playing back data onto and from said portable recording medium (212 of fig 9B, see col.12, 21-25).

With respect to claim 19, Suzuki (743) teaches an information processing method (as shown in fig 1-4), wherein said external recording medium is an external server (server 300 of fig 9A) connected by a wire or radio communication line, (connected by network 100 of fig 9A) and said connection means (communication interface 216 of fig 9B) is implemented as a communication unit for communicating with said external server (server 300 of fig 9A) through said communication line (network 100 of fig 9A).

With respect to claim 20, Suzuki teaches (743) an information processing method (as shown in fig 9A-9C), comprising: an activation-detecting step of detecting an operation to activate application software, see (step 22), col.8, lines 39-45); a judgment step of forming a judgment as to whether application software to be activated which is detected by said activation-detecting step (Operating system OS controls the activation or a start of application program or data file) is stored in an storage means or an external recording medium (212 of fig 9B); application software from said external recording medium in the case of result of said judgment step indicating that said application software is stored in said external recording medium (application software is stored in the storage 212 of fig 9B); and a loading step of loading an activation step of activating application software loaded on said storage means by said loading step, see (col.15, lines 1-5).

With respect to claim 21, Suzuki (743) teaches an information processing method (as shown in fig 9A and 9B), further having a data-file-referencing step of loading a data file from said external recording medium into said storage said loaded data file in response an operation carried out on said user interface means, (206 and 204 of fig 9B, through user interface such as keyboard, display device or mouse a request made for loading data file or application program from external recording media 212 of fig 9B, to the storage 202a of fig 9B, in response to a request made by user inter face) for loading a data file required in the course of processing based on application recording medium

into said software in execution from said external a process to reference said request storage means (user management table shown in 300 of fig 9A, as a reference data such as user ID, data file need to be accessed or to be loaded, shown in fig 9c ) data file, when a and carrying out made for reference of said data file, see (col.12, lines 39-45).

With respect to claim 22, Suzuki (743) teaches an information processing method (as shown in fig 9A and 9B) wherein said external recording medium (212 of fig 9B), is a portable recording medium, and application software is played back from said portable recording medium (data file or application program read in or read out from portable media 212 of fig 9B, by storage media drive means 214 of fig 9B) in said loading step, see col.4, lines 55-60.

With respect to claim 23, Suzuki (743) teaches or information-processing method (fig 9A and 9B, for processing personal information), wherein said external recording medium is an external server (user management file server 300 of fig 9c) connected by a wire or radio communication line, (a communication network 100 of fig 9A) and application software downloaded from said external server (download command see step S3 of fig 4, from server 300 of fig 9A) through said communication line (communication network 100 of fig 9A) in said loading step.

**3. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki (USP 6,493,43) in view of Furuya et al. (USP 5,805,97).**

With respect to claim 6, Suzuki (743) teaches or discloses an information-processing method comprising (terminal PC 200 of 9A and server 300 9B, for processing personal information).

Suzuki (743) does not disclose a judgment step of verifying the size of a free area available in storage means and the size of a area required for accommodating an application said storage means and forming a judgment as to whether or not said application program can be installed in said storage means; a save step of saving an application program or a data file stored in said storage means to said external recording medium in order to allocate a new free storage area in said storage means in the case of outcome of said judgment step indicating that said application program cannot be installed in said storage means; and an installation step of installing said application program recorded in said external recording medium into said storage means having said new free storage area allocated by said save step.

In the same area of information processing apparatus (as shown by fig 1-5) Furuya et al. (297) discloses a judgment step of verifying the size of a free area available in storage means (memory 12 of fig 1) and the size of a area required for accommodating an application (program stored in the disk 12 of fig 1) said storage means (12 of fig 1) and forming a judgment as to whether or not said application program can be installed in said storage means (memory 10 of fig 1); a save step of saving an application program or a data file stored in said storage means (12 of fig 1) to said external recording medium (external recording 12 of fig 1) in order to allocate a new free storage area in said storage means in the case of outcome of said judgment



step indicating that said application program cannot be installed in said storage means (10 of fig 1); and an installation step of installing said application program recorded in said external recording medium into said storage means (12 of fig 1) having said new free storage area allocated by said save step, see (col.10, lines 36-48).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified an information processing apparatus capable of accessing a host device of Suzuki (743) to include: a judgment step of verifying the size of a free area available in storage means and the size of a area required for accommodating an application said storage means and forming a judgment as to whether or not said application program can be installed in said storage means; a save step of saving an application program or a data file stored in said storage means to said external recording medium in order to allocate a new free storage area in said storage means in the case of outcome of said judgment step indicating that said application program cannot be installed in said storage means; and an installation step of installing said application program recorded in said external recording medium into said storage means having said new free storage area allocated by said save step.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified the an information processing apparatus capable of accessing a host device of Suzuki (743) by the teaching of Furuya et al. (297) for the reason that, it would have been allowed users to provide various different application with a multifunctional information processing apparatus wherein data formed

by using a given function can be utilized for another function, as discussed by Furuya et al. (297) in col.1, lines 41-45.

With respect to claim 7, Suzuki (743) teaches or discloses an information-processing method (terminal PC 200 of 9A and server 300 9B, for processing personal information), wherein said information-processing method (fig 9B) further having an activation step of activating an application program upon installation of said application program (OS operating system from terminal 200 of fig 9A, is capable of activating program) from said external recording medium (212 of fig B) into said storage means by said installation step.

With respect to claim 8, Suzuki (743) teaches or discloses an information processing method (terminal PC 200 of 9A and server 300 9B, for processing personal information), wherein said information-processing method further has a history-updating step of updating activation history upon activation of information for an application program said application program, (user management file of fig 9c, information indicating data files or program application recently used, see col.12, lines 40-45), and an application program to be saved to said external recording medium is selected, in said save step, on the basis of said activation history information (210 of fig 9B, various application files, data file, see 210 of fig 9B).

With respect to claim 9, Suzuki (743) discloses an information-processing apparatus (terminal PC 200 of 9A and server 300 9B, for processing personal information) wherein, when said application program or said data file has been saved in said external recording medium (212 of fig 9B) being dismounted, said information-processing method (fig 9a-9c) further having a restoration step of uninstalling an application program installed from said external recording medium (212 of fig 9B) into said storage means to restore said installed application program to said external recording medium and restoring an application program or a data file saved in said external recording medium to said storage means (212 of fig 9B).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Negussie Worku whose telephone number is 305-5441. The examiner can normally be reached on 7am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Negussie Worku  
03/08/05

  
**KIMBERLY WILLIAMS**  
**SUPERVISORY PATENT EXAMINER**